

SCHEDULE

Additional details with regard to certain Applications Applications made under the 2004 Act

Applications relating to HMO licensing

13.—(1) This paragraph applies to an application under section 73(5) of the 2004 Act (application by LHA or occupier for rent repayment order).

(2) The specified documents are—

(a) where the application is made by the LHA—

(i) a copy of the notice of intending proceedings under section 73(7) of the 2004 Act;

(ii) a copy of any representation received in respect of the notice;

(iii) either—

(aa) a statement containing the details relied on in making the allegation that an offence under section 72(1) of the 2004 Act was committed; or

(bb) where the LHA relies on the provisions of section 74 of the 2004 Act, proof that the appropriate person has been convicted of an offence under section 72(1) of the 2004 Act; and

(iv) a document showing the housing benefit paid by the LHA in connection with occupation of the premises during the period in which it is alleged such an offence was committed;

(b) where the application is made by an occupier⁽¹⁾—

(i) evidence that the appropriate person has been convicted of an offence under section 72(1) of the 2004 Act or has been required by a rent repayment order to make a payment in respect of housing benefit; and

(ii) evidence that the occupier has paid periodical payments in respect of occupation of the premises during a period in which it is alleged that such an offence was being committed.

(3) The specified respondent is the appropriate person⁽²⁾.

(1) See section 262 of the 2004 Act for the definition of “occupier”.

(2) See section 73(1) of the 2004 Act for the definition of “the appropriate person”.